

**A RESOLUTION
BY TRANSPORTATION COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT NO. 16 TO THE CPTC AGREEMENT AND LEASE WITH AIRTRAN AIRWAYS, INC. THAT SHALL PROVIDE FOR THE IMPROVEMENT OF THE GATES ON CONCOURSE C SOUTH AND THE REIMBURSEMENT TO AIRTRAN IN AN AMOUNT NOT TO EXCEED \$550,000.00. ALL SERVICES WILL BE CHARGED TO AND PAID FROM PTAE0: 18101352 (TERMINAL IMPROVEMENTS) 105 (R21E012493CP) 550921372 (DOA 2004 F G I REV 93CP) 5414002 (FACILITIES OTHER THAN BLDGS /INFRASTRUCTURE-CIP) AND FDOA: 5509 (2004 AIRPORT REVENUE BOND FUND F-K) 180201 (DOA AVIATION CAPITAL PLANNING & DEVELOPMENT) 5414002 (FACILITIES OTHER THAN BLDGS /INFRASTRUCTURE-CIP) 7563000 (AIRPORT) 101352 (TERMINAL IMPROVEMENTS) 21372 (DOA 2004 F G I REV 93CP) 0000 (DEFAULT) 00000000 (DEFAULT) 00000000 (DEFAULT); AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") and the AirTran Airways, Inc. ("Airline"), as successor in interest to ValuJet Airlines, Inc. by merger, are parties to an Agreement and Lease of Premises, dated February 19, 1996, and supplemental agreements and amendments thereto ("CPTC Lease") governing Airline's occupancy and use of facilities in the Terminal Building and Concourses of the Central Passenger Terminal Complex ("CPTC") at Hartsfield-Jackson Atlanta International Airport ("Airport"); and

WHEREAS, Airline desires that the gates Airline leases from City on Concourse C South ("C-South Gates") be upgraded to include water closets at each gate ("C South WC Project") which will make it unnecessary for AirTran to truck potable water to the aircraft; and

WHEREAS, Airline is willing to pay for the proposed work through increased CPTC Tenant Finishes, Equipment and Systems ("TFES") rentals; and

WHEREAS, the City and Airline now desire to amend the CPTC Lease in order to provide for the project at the C-South Gates and to increase Airline's TFES rentals to pay for said improvements; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, that the Mayor is authorized to execute on behalf of the City of Atlanta an Amendment No. 16 to the CPTC Lease under which:

- A. Airline shall complete the Concourse C South WC Project.
- B. City shall reimburse Airline for the actual and reasonable cost of the Concourse C South WC Project up to a maximum of \$550,000.00.
- C. Airline shall repay the City for the cost of the Concourse C South WC Project through increased CPTC TFES rentals.

BE IT FURTHER RESOLVED that the City Attorney is directed to prepare said Amendment for execution by the Mayor and that all contracted services will be charged to and paid from PTAE0: 18101352 (Terminal Improvements) 105 (R21E012493CP) 550921372 (DOA 2004 F G I Rev 93CP) 5414002 (Facilities Other Than Buildings/Infrastructure-CIP) And FDOA:

5509 (2004 Airport Revenue Bond Fund F-K) 180201 (DOA Aviation Capital Planning & Development) 5414002 (Facilities Other Than Buildings /Infrastructure-CIP) 7563000 (Airport) 101352 (Terminal Improvements) 21372 (DOA 2004 F G I Rev 93CP 0000 (Default) 00000000 (Default) 00000000 (Default).

BE IT FINALLY RESOLVED that said Amendment No. 16 shall not become binding upon the City of Atlanta, and the City of Atlanta shall incur no obligation or liability thereunder until same has been signed by the Mayor and delivered to AirTran Airways, Inc.

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview:

Caption:

Council Meeting Date:

Requesting Dept.:

FAC Confirmed by:

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

AirTran Airways currently leases 22 gates on the south end of Concourse C. Those gates do not currently have water closets and AirTran trucks potable water to the aircraft.

2. Please provide background information regarding this legislation.

The proposed improvements contemplated in Amendment 16 will make the trucking operation unnecessary and improve the efficiency and level of service for aircraft utilizing the south end of Concourse C.

3. If Applicable/Known:

- (a) Contract Type (e.g. Professional Services, Construction Agreement, etc):
- (b) Source Selection:
- (c) Bids/Proposals Due:
- (d) Invitations Issued:
- (e) Number of Bids:
- (f) Proposals Received:
- (g) Bidders/Proponents:

(h) Term of Contract: through 9/20/2010

4. Fund Account Center (*Ex. Name and number*):

Fund: _____ Account: _____ Center: _____

5. Source of Funds: *Example: Local Assistance Grant*

6. Fiscal Impact:

Example: This legislation will result in a reduction in the amount of _____ to Fund Account Center Number _____.

7. Method of Cost Recovery: Cost recovery based rentals.

8. *Examples:*

- a. Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.*
- b. Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.*

This Legislative Request Form Was Prepared By: Bill Murphy

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Anita Williams

Contact Number: 404-530-6600

Originating Department: Aviation

Committee(s) of Purview: Transportation

Chief of Staff Deadline: 1/27/09

Anticipated Committee Meeting Date(s): 2/11/09

Anticipated Full Council Date: 2/16/09

Commissioner Signature: 

CAPTION

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT NO. 16 TO THE CPTC AGREEMENT AND LEASE WITH AIRTRAN AIRWAYS, INC. THAT SHALL PROVIDE FOR THE IMPROVEMENT OF THE GATES ON CONCOURSE C SOUTH AND THE REIMBURSEMENT TO AIRTRAN IN AN AMOUNT NOT TO EXCEED \$550,000.00. ALL SERVICES WILL BE CHARGED TO AND PAID FROM PTAE0: 18101352 (TERMINAL IMPROVEMENTS) 105 (R21E012493CP) 550921372 (DOA 2004 F G I REV 93CP) 5414002 (FACILITIES OTHER THAN BLDGS /INFRASTRUCTURE-CIP) AND FDOA: 5509 (2004 AIRPORT REVENUE BOND FUND F-K) 180201 (DOA AVIATION CAPITAL PLANNING & DEVELOPMENT) 5414002 (FACILITIES OTHER THAN BLDGS /INFRASTRUCTURE-CIP) 7563000 (AIRPORT) 101352 (TERMINAL IMPROVEMENTS) 21372 (DOA 2004 F G I REV 93CP) 0000 (DEFAULT) 00000000 (DEFAULT) 00000000 (DEFAULT); AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any) \$550,000.00

Mayor's Staff Only

Received by CPO: _____ Received by LC from CPO: _____
(date) (date)

Received by Mayor's Office: 1.26.09  Reviewed by: 
(date) (date)

Submitted to Council: _____
(date)